

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES AND ENERGY

Call to Order: By **CHAIRMAN GREG LIND**, on March 21, 2007 at 3:00 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Greg Lind, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Kelly Gebhardt (R)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzonried (D)

Members Excused: None.

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 383, 3/19/2007; HB 664,
3/12/2007; HB 37, 3/16/2007; HB
460, 3/12/2007;
Executive Action: HB 664, HB 526, HB 427, HB 37

00:26:00 Chairman Lind

HEARING ON HB 383

Opening Statement by Sponsor:

00:29:21 **REP. KRAYTON KERNS (R), HD 58**, opened the hearing on **HB 383**, Generally revise water discharge laws.

EXHIBIT(nas60a01)

Proponents:

00:36:33 Sen. Keith Bales

EXHIBIT(nas60a02)

00:46:00 John Morris, Self

00:47:32 Steve Pilcher, Montana Stockgrowers Association

00:49:34 Gordon Decker, Soil Scientist

EXHIBIT(nas60a03)

00:54:26 Connie Morris, Self

EXHIBIT(nas60a04)

00:59:05 Mark Moreland, Self

01:02:40 Don Allen, Western Environmental Trade Association
(WETA)

01:03:23 Dave Galt, Montana Petroleum Association

01:03:40 Gary Forrester, Fidelity Exploration

01:04:06 Gail Abercrombie, Montana Petroleum Association

01:04:22 Tom Ebzery, Nance Petroleum Corporation

Opponents:

01:06:02 Mark Fix, Northern Plains Resource Council

EXHIBIT(nas60a05)

01:11:21 Clint McRea, Self

01:16:00 Roger Muggli, Self

EXHIBIT (nas60a06)

01:21:34 Brenda Lindlief-Hall, Attorney, Tongue River Water
Users (TRWUA)

EXHIBIT (nas60a07)

01:25:15 Rep. Kendall Van Dyke, Self

01:28:26 Ray Muggli, Chair, Coal Bed Methane (CBM) Task Force

01:32:12 Art Hays Jr., President of the Tongue River Water Users
Association (TRWUA)

EXHIBIT (nas60a08)

01:39:52 Charlie Gebhart, Soil Scientist

01:44:02 Beth Kaeding, Northern Plains Resource Council (NPRC)

EXHIBIT (nas60a09)

01:45:46 Carolyn Walker, Self

01:49:30 Dennis Getz, NPRC

01:51:01 Jeff Barber, Montana Environmental Information Center
(MEIC)

EXHIBIT (nas60a10)

01:52:18 Janet Ellis, Montana Audubon

01:52:45 Debra Hanson, Self

01:53:44 Sarah Cobler, Montana Conservation Voters

01:54:00 Vivian Drake, Co-Owner of Drake Engineering

EXHIBIT (nas60a11)

01:55:21 Ron Drake, President of Drake Engineering

Informational Testimony:

01:57:22 Art Compton, Water Quality Standards Division,
Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

02:00:40 Sen. Gebhardt to Brenda Lindlief-Hall, Attorney, TRWUA

02:01:48 Sen. Curtiss

02:02:01 Sen. Tash to Art Compton, DEQ

02:04:46 Sen. Tash to Mark Moreland

02:07:57 Sen. Tash to Roger Muggli, CBM Task Force

02:12:38 Sen. Wanzenried to Rep. Kerns

02:15:34 Sen. Wanzenried to Clint McRea, Self

02:17:16 Sen. Curtiss to Sen. Bales

02:24:21 Sen. Gebhardt to Sen. Bales

02:26:23 Sen. Lind to Mark Moreland, Self

02:27:23 Sen. Lind to Art Compton, DEQ

02:28:29 Sen. Lind to Rep. Kerns

02:30:05 Sen. Lind to Roger Muggli, CBM Task Force

Closing by Sponsor:

02:32:18 Rep. Kerns

EXHIBIT (nas60a12)

HEARING ON HB 664

Opening Statement by Sponsor:

02:36:19 **REP. JIM KEANE (D), HD 75**, opened the hearing on **HB 664**, Options to control pine beetle.

Proponents:

02:37:54 Aubrey Martin, Student @ Butte High School
02:39:52 Jesse Graham, Student @ Butte High School
02:41:51 Jason Todhunter, Montana Logging Association
02:42:34 Pat Torgerson, Women in Farm Economics (WIFE)
02:42:57 Mary Sexton, Director of Department of Natural
Resources and Conservation (DNRC)
02:43:29 Ellen Engstedt, Montana Wood Products Association

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:45:39 Sen. Lind to Rep. Keane
02:46:33 Sen. Gebhardt to Rep. Keane
02:47:04 Sen. Lind to Ellen Engstedt, Montana Wood Products
Association
02:47:56 Sen. Perry to Ellen Engstedt, Montana Wood Products
Association

Closing by Sponsor:

02:48:58 Rep. Keane

EXECUTIVE ACTION ON HB 664

02:50:15 **Motion/Vote:** SEN. TASH moved that HB 664 BE CONCURRED
IN. Motion carried unanimously by voice vote.

HEARING ON HB 37

Opening Statement by Sponsor:

02:51:00 REP. MICHELE REINHART (D), HD 97, opened the hearing on
HB 37, Weed control on state land.

Proponents:

02:56:57 Mary Sexton, DNRC
02:59:43 Kathy Bramer, Office of Public Instruction (OPI)
03:00:59 John Moodry, Weed Control for Butte-Silver Bow (BSB
Weed Bound)
03:02:44 Doug Johnson, Cascade County and Weed Program
03:03:30 Pat Torgerson, WIFE
03:04:48 Janet Ellis, Montana Audubon

EXHIBIT(nas60a13)

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

03:05:55 Sen. Tash to Mary Sexton, DNRC
03:09:13 Sen. Curtiss to Mary Sexton, DNRC
03:10:09 Sen. Kaufmann to Janet Ellis, Montana Audubon
03:11:40 Sen. Perry to Rep. Reinhart
03:12:40 Sen. Perry to Mary Sexton, DNRC
03:13:37 Kevin Chappell, Trust Lands, DNRC
03:15:37 Sen. Curtiss to Mary Sexton, DNRC
03:16:53 Sen. Gebhardt to Mary Sexton, DNRC
03:18:55 Sen. Tash to Mary Sexton, DNRC
03:19:37 Sen. Perry to Kevin Chappell, DNRC
03:21:07 Sen. Lind to John Moodry, BSB Weed Bound

Closing by Sponsor:

03:21:41 Rep. Reinhart

HEARING ON HB 460

Opening Statement by Sponsor:

03:23:24 REP. JIM KEANE (D), HD 75, opened the hearing on HB 460, Revise mining laws.

Proponents:

03:25:29 Tom Livers, Deputy Director of Department of Environmental Quality (DEQ)

03:29:52 Debbie Shea, Montana Mining Association (MMA)

03:32:21 Leo Berry, Attorney

03:35:30 Fess Foster, Ph.D., Geological and Environmental Consulting

EXHIBIT (nas60a14)

03:39:27 Ken Weber, Jefferson County Commissioner

EXHIBIT (nas60a15)

03:42:46 Jason Miller, Montana State AFL-CIO

03:43:33 Don Allen, WETA

Opponents:

03:44:39 Jeff Barber, Montana Environmental Information Center (MEIC)

EXHIBIT (nas60a16)

03:52:58 Julie King-Kulbeck, Fort Belknap Indian Community

EXHIBIT (nas60a17)

03:55:53 Dean Stiffarm, Fort Belknap Indian Community

EXHIBIT (nas60a18)

Informational Testimony: None.

Questions from Committee Members and Responses:

03:58:17 Sen. Curtiss to Deb Shea, MMA

03:58:51 Sen. Curtiss to Tom Livers, DEQ
03:59:36 Sen. Kaufmann to Tom Livers, DEQ
04:01:32 Sen. Lind to Tom Livers, DEQ
04:02:12 Sen. Lind to Warren McCullough, Environmental and
Resources Division, DEQ
04:02:59 Sen. Lind to Jeff Barber, MEIC
04:03:48 Sen. Lind to Tom Livers, DEQ
04:04:44 Sen. Lind to Warren McCullough, DEQ
04:07:56 Sen. Lind to Tom Livers, DEQ
04:09:59 Sen. Kaufmann to Tom Livers, DEQ
04:13:02 Sen. Tash to Deb Shea, MMA
04:15:03 Sen. Lind

Closing by Sponsor:

04:15:49 Rep. Keane

EXECUTIVE ACTION ON HB 526

04:19:28 **Motion:** SEN. GEBHARDT moved that HB 526 BE CONCURRED
IN.

Discussion:

04:19:40 Sen. Lind

04:19:56 Sen. Kaufmann

04:20:13 **Motion:** SEN. GEBHARDT moved that AMENDMENT HB
052601.AJK BE ADOPTED.

EXHIBIT(nas60a19)

Discussion:

04:22:27 Sen. Lind to Doug Hardy, Montana Electric Cooperatives'
Association

04:22:35 Vote: SEN. KAUFMANN CALLED THE QUESTION ON AMENDMENT HB052601.ajk. Motion carried unanimously by voice vote.

04:22:42 Motion/Vote: SEN. GEBHARDT moved that HB 526 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. PERRY, SEN. WANZENRIED, and SEN. HARRINGTON voted by proxy.

EXECUTIVE ACTION ON HB 427

04:24:36 Motion: SEN. GEBHARDT moved that HB 427 BE CONCURRED IN.

Discussion:

04:26:43 Sen. Gebhardt withdrew motion on HB 427

Discussion:

04:27:17 Sen. Lind to Joe Kolman

EXECUTIVE ACTION ON HB 37

04:30:28 Motion/Vote: SEN. TASH moved that HB 37 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. HARRINGTON AND SEN. WANZENRIED voted by proxy.

ADJOURNMENT

Adjournment: 7:25 P.M.

SEN. GREG LIND, Chairman

CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

EXHIBIT ([nas60aad.pdf](#))